

08/06/2010

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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AUG 06 2010

Ref: 8EPR  
Ms. Robin Bullock  
BP Exploration (Alaska), Inc.  
P.O. Box 196612  
Mailstop: MB 11-6  
Anchorage, AK 99508

Re: Rico Argentine Mine – St. Louis Tunnel and Ponds in Rico, Colorado

Dear Ms. Bullock:

I am contacting you to make you aware of the effort underway by EPA to take necessary response actions to deal with the ongoing discharge associated with the Rico/Argentine Mine including the St. Louis Tunnel, and the settling ponds in Rico, Colorado (the Site). EPA has for the past two months been attempting to meet with ARCO to discuss entering into an agreement to remediate the Site. At this time, EPA is offering ARCO the opportunity to negotiate an Administrative Order on Consent with EPA beginning on August 23, 2010. If ARCO is not willing to begin negotiations by this date, EPA will consider its enforcement options and/or implement the actions independently as necessary.

Please contact Steven Way, EPA On-Scene Coordinator at 303-312-6723, or Sheldon Muller, EPA Attorney at 303-312-6916 by Thursday, August 12 indicating your interest of negotiating an order.

Sincerely,

A handwritten signature in dark ink, appearing to read "David Ostrander", is written over the word "Sincerely,".

David Ostrander  
Program Director  
Preparedness Assessment and Response  
U.S. EPA Region 8

cc: Steve Way, EPA 8EPR-SA  
Amelia Piggott, EPA 8ENF-L  
Sheldon Muller, EPA 8ENF-L